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May 29, 2006

BY HAND

MEMO ENDORSED

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Mario Henriquez
05 Cr. 1314 (KMK)**

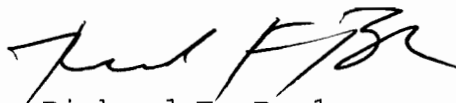
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Dear Judge Karas:

I write to request that Court set a conference as soon as possible so that a motion schedule may be set for Mr. Henriquez to withdraw his plea. It came to my attention through Mr. Henriquez's immigration attorneys on May 17, 2007 that he in fact had a defense in this case - specifically, that he had been unlawfully deported from this country because of ineffective assistance of counsel at his immigration proceedings. I had not previously been aware of such a defense and had not advised my client of such a defense. I immediately contacted government counsel on May 18, 2007 in the hope that we could make a joint recommendation to the Court for the withdrawal of Mr. Henriquez's plea. Unfortunately, the parties have not yet been able to agree upon such a joint recommendation. I am therefore writing to the Court to request a conference to discuss this matter and set a motion schedule for this case.

Respectfully submitted,

*The Court will hold a conference
on June 6, 2007, at 2:00pm to discuss
the putative motion to withdraw the guilty plea.*


Richard F. Boulware
Assistant Federal Defender
Tel.: (212) 417-8732

cc: William Stellmach, Esq.

SO ORDERED


KENNETH M. KARAS U.S.D.J.